

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): 1. (Amended) A mirror ~~with~~ comprises a reflective surface, a non-reflective portion provided within ~~its~~ the reflective surface as an information provider, wherein at least a portion of the mirror surface is transparent for seeing therethrough and is backed by a display provided with a moving image, whereby the display is provided with an interchangeable item of information.

Claim 2 (cancelled):

Claim 3 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the display is provided with a colored image representation.

Claim 4 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the display is a flat screen.

Claim 5 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the display employs one of TFT and plasmas technologies.

Claim 6 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the display includes hologram.

Claim 7 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein behind the mirror surface, at least one loudspeaker is connected to the display.

Claim 8 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein behind the mirror surface, at least one loudspeaker is connected to an input device.

Claim 9 (previously presented): A mirror as set forth in claim 1 wherein the display is connected to an input device.

Claim 10 (previously presented): A mirror as set forth in claim 9 or claim 19 wherein the input device is an external input device.

Claim 11 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the mirror surface is part of a mirror insert which is associated with a frame which forms a mirror interior.

Claim 12 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the mirror surface is part of a mirror attachment which is fitted onto a frame to form a mirror interior.

Claim 13 (previously presented): A mirror as set forth in claim 11 wherein the frame delimits the mirror interior and is connected to the mirror surface.

Claim 14 (previously presented): A mirror as set forth in claim 13 wherein the frame is composed of channel profile members having a width (b) which determines the depth of the mirror interior.

Claim 15 (previously presented): A mirror as set forth in claim 1 or claim 19 wherein the display is secured to a frame by strut means.

Claim 16 (previously presented): A mirror as set forth in claim 7 wherein the loudspeaker is associated with a perforated region of a frame.

Claim 17 (previously presented): A mirror as set forth in claim 1 or claim 19 including a radio receiver module for the image data.

Claim 18 (previously presented): A mirror as set forth in claim 1 or claim 19 including an integrated remote operating means for volume control.

Claim 19 (currently amended): A mirror ~~with~~ comprises a reflective surface, a non-reflective portion provided within its the reflective surface as an information provider, wherein at least a finite-sized, two dimensional portion of the mirror surface is transparent for seeing therethrough and is backed by a display provided with a moving image, whereby the display is connected to an input device.

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments is courteously solicited.

The Examiner in his office action dated June 20, 2003 rejected previously submitted dependent claim 2 under 35 U.S.C. 103 as being unpatentable over U.S. patent 4,588,267 to Pastore in view of U.S. patent 6,320,591 to Griencewic. Applicant respectfully traverses this rejection for the reasons set forth hereinbelow.

As acknowledged by the Examiner on Page 3 of his office action the Pastore '267 patent fails to teach or suggest a flat image display providing a moving image employing plasma technology, wherein a load speaker is connected to an input device having a radial module for the image data and an integrated remote operating means for volume control. The Pastore reference discloses a rearview mirror having a display therein which displays a digital clock, fuel gauge, seatbelt indicator, oil pressure, etc. None of the displays in the Pastore document represent moving images as claimed in amended independent claims 1 and 19. In an attempt to cure the deficiencies of the primary reference, the Examiner has relied on the secondary '591 reference to Griencewic. It is respectfully submitted that the Examiner's combination of references as applied in his rejection of previously submitted dependent claim 2 is improper under 35 U.S.C. 103. The '591 patent is drawn to an electronic book. There is no reflective surface which functions as a mirror. There is no motivation in the two applied references taken as a whole which would lead one to combine the references in the manner proposed by the Examiner. The Examiner's rejection based on these two references comprise nothing more than a hindsight reconstruction which is improper under the Patent Law. The case law on the need for a motivation statement to support the combination of two prior art references is quite clear

wherein an Examiner as in the instant case alleges that all of the claim limitations can be found in the prior art references. Assuming for the sake of argument that each limitation of independent claims 1 and 19 of the instant application could be found somewhere in the Pastore and Griencewic references, more is needed. As stated by the federal circuit in re Rouffet 47 USPQ2D 1453, most if not all inventions arise from a combination of old elements. However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the Applicant. The Examiner has presented no clear statement stemming from the references or elsewhere which would motivate, suggest or teach the combination of references as applied in his rejection. Having failed to make a proper rejection under 35 U.S.C. 103, claims 1 and 19 should be allowed.

In addition to the foregoing, it is submitted that dependent claims 4-10, 16 and 17 contain patentable merit in their own right. The details of the display as claimed in the foregoing claims are not rendered obvious by the teachings of the prior art references but rather are rendered obvious solely by a hindsight reconstruction based on Applicant's disclosure.

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

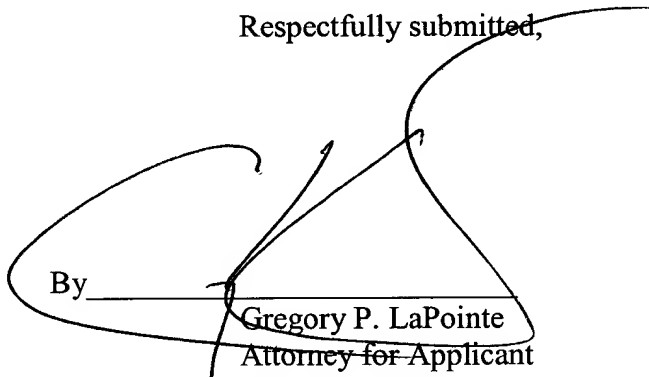
An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the

Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

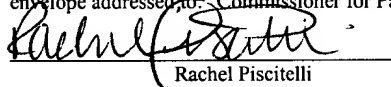
If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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Date: October 20, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 20, 2003.


Rachel Piscitelli